

Message Text

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51

ACTION COA-02

INFO OCT-01 ARA-16 ISO-00 EB-11 COME-00 INT-08 IO-14 AGR-20

DLOS-06 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 ACDA-19 CG-00 SCS-03 SCA-01 TRSE-00 OMB-01

DRC-01 /180 W

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P R 122247Z NOV 73

FM AMEMBASSY QUITO

TO SECSTATE WASHDC PRIORITY 9147

INFO AMEMBASSY LIMA

AMCONSUL GUAYAQUIL

C O N F I D E N T I A L QUITO 5840

E.O. 11652: GDS

TAGS: PBOR, EFIS, EC

SUBJECT: STATUS OF THE DRAFT ECUADOREAN FISHERIES LAW

REF: QUITO 5619

1. SUMMARY: THE DRAFT FISHERIES LAW HAS BEEN REFERRED TO A SPECIAL CABINET COMMITTEE FOR REVISION OF SECTIONS DEALING WITH THE DEVELOPMENT OF THE ECUADOREAN FISHING INDUSTRY. THE REVIEW IS NOT DIRECTED AT THE LEVELS OF MATRICULA AND LICENSE FEES (WHICH WILL PROBABLY REMAIN AT \$2000 AND \$100 PER NET REGISTERED TONS AS REPORTED IN REFTEL) NOR IS IT EXPECTED THAT THE FUNDAMENTALS OF THE DRAFT LAW WILL BE CHANGED. END SUMMARY.

2. THE CABINET DISCUSSED THE DRAFT FISHERIES LAW (DESCRIBED IN REFTEL) AT ITS NOVEMBER 6 MEETING AND DECIDED TO REFER IT TO A SPECIAL INTER-MINISTERIAL COMMITTEE FOR REVISION.

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3. THE COMMITTEE IS CHAIRED BY THE MINISTER OF

NATURAL RESOURCES. THE OTHER MEMBERS ARE THE MINISTERS OF DEFENSE, FOREIGN RELATIONS, INDUSTRY AND COMMERCE, THE PRESIDENT OF THE NATIONAL PLANNING BOARD AND THE ATTORNEY GENERAL (PROCURADOR).

4. EMBOFF DISCUSSED THIS CABINET ACTION WITH NAVY COMMANDER RODRIGO RIVADENEIRA, UNDERSECRETARY FOR FISHERIES OF THE MINISTRY OF NATURAL RESOURCES ON NOVEMBER 9.

5. RIVADENEIRA, WHO IS HEAVILY INVOLVED IN THE WORK OF THE COMMITTEE, STATED THAT THE CABINET HAD DECIDED THAT THE PARTS OF THE LAW CONCERNING THE REGULATION AND DEVELOPMENT OF THE DOMESTIC FISHING INDUSTRY REQUIRED FURTHER REVISION AND THAT IS WHAT THE COMMITTEE IS WORKING ON. THE COMMITTEE IS TRYING TO COMPLETE ITS JOB NOVEMBER 13 AND HAS BEEN WORKING VERY HARD.

6. RIVADENEIRA SAID THAT THE PARTS OF THE LAW CONCERNING LICENSE AND MATRICULA FEES AND CONFISCATION OF CATCH WERE NOT IN DOUBT. HE CONFIRMED THAT THE MATRICULA FEE WOULD RISE TO SOMETHING ABOVE \$2000 PER VESSEL PER YEAR AND THE LICENSE FEE TO \$100 PER NET REGISTERED TON PER VOYAGE. HE ASKED IF SUCH LEVELS WOULD CAUSE PROBLEMS WITH THE USG AND, WHEN EMBOFF REPLIED THAT THEY CERTAINLY MIGHT, EXPLAINED THAT THE GOE THOUGHT THE NEW LICENSE FEE REASONABLE BECAUSE IT IS INTENDED TO AMOUNT TO 10 PERCENT OF THE VALUE OF THE CATCH. HE ASSERTED THAT TUNA WAS WORTH BETWEEN \$800 AND \$900 PER TON IN EUROPE AT THE MOMENT AND EXPRESSED THE VIEW THAT IT WOULD GO HIGHER.

7. COMMENT: ALTHOUGH THIS REVISION IS NOT DIRECTED AT THE FOREIGN POLICY ASPECTS OF THE LAW, IT DOES GIVE THE FOREIGN MINISTRY ANOTHER CHANCE AT IT. AS REPORTED IN OUR A-137, THE MINISTRY WOULD LIKE TO MAKE THE LAW AS INOFFENSIVE AS POSSIBLE AND IN THE PAST HAS SUCCESSFULLY OBJECTED TO THE MORE EXTREME PENALTIES SUCH AS THE IMPRISONMENT OF CAPTAINS. NEVERTHELESS WE ARE NOT VERY HOPEFUL THAT THE MINISTRY CAN DO MUCH NOW AND WE DOUBT THAT ANY CHANGES IN THE DRAFT WILL AFFECT THE PREVIOUSLY REPORTED TREND TOWARDS AN EXCLUSIVE ECUADOREAN FISHERY, CONFIDENTIAL

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INCLUDING THE DRAFT'S PROVISIONS FOR CONFISCATION OF CATCH OF UNLICENSED VESSELS.
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
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Document Unique ID: 00
Drafter: n/a
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Errors: N/A
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